

Claim Rejections:

Claims 1, 3-8, 10-11 and 14-16 stand rejected. Applicant notes that the Examiner has essentially maintained the previous rejections. Each will be discussed individually below.

35 U.S.C. § 102(e) Rejection - Claims 1, 3-5, 7 and 14-16:

Claims 1, 3-5, 7 and 14-16 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 3,115,379 to McKee. In view of the following discussion, Applicant respectfully traverses the above rejection.

With regard to this rejection, the Examiner references the previous attachments 1 and 2 (attached to the April 23, 2003 Office Action) in which the Examiner marked up copies of Figure 11 of the McKee reference, so as to aid in the understanding of the Examiner's position.

As an initial matter, Applicant submits that the Examiner's rejection of claims 5 and 7 remains fatally flawed. With regard to claims 5 and 7, the Examiner still asserts that the "housing" set forth in the claims is disclosed within the disclosure of McKee. *See* Office Action, page 4. The Examiner states (on page 7 of the Office Action) that the "housing is disclosed in the specification of McKee at Column 3, lines 65-67."

However, McKee only states that the "connector element 1 [] may be inserted within an insulating body (not shown) in a casual fashion and always come to rest in a position that allows contact elements 3 and 4 to protrude beyond the wall of the insulating body..." *See* McKee, col. 3, lines 65-69. Even if Applicant presumes, *arguendo*, that this language sufficiently discloses a "housing," there is no disclosure of "at least one housing for receiving a spring contact and opening onto both of said first and second faces" as set forth in claim 5. (Emphasis Added)

Applicant submits that because there is no express disclosure of the structure of the “housing,” the above specific feature of the claimed housing is not, and can not be, disclosed, in any way. If the Examiner continues to assert that McKee discloses the claimed housing, Applicant hereby respectfully requests the Examiner demonstrate where in McKee the above claimed aspect of the housing is disclosed.

Moreover, the Examiner is asserting that the arms 16 and 20’, shown in the attachments, are the “first” and “second” branches of the present invention. However, Applicant notes that these arms are not “substantially “U”-shaped but are, in fact, substantially “L” shaped. Applicant submits that the Examiner can not construe an “L” shaped component as being substantially “U” shaped. Therefore, Applicant respectfully submits that the claims 5 and 7 are not disclosed in McKee.

With regard to claims 14-16, Applicant also notes that the branches 16 and 20’ are not substantially “U” shaped. Thus, there is also no disclosure of these claims.

Therefore, in view of the foregoing, McKee fails to anticipate any of claims 5, 7 and 14-16.

With regard to claims 1 and 3, Applicant notes that the Examiner has set forth two different rejections of these claims with the McKee reference. See both pages 2 and 3 of the Office Action dated November 7, 2003. Each will be discussed in turn.

First, the Examiner indicates that branches 20 and 20’ of the McKee reference correspond to the “branches” of the present invention. However, as Applicant has previously noted there is no disclosure that the “first and second branches lie in two diverging planes” as set forth in claim

1. As shown in the Examiner's Attachment 2, of the Office Action, the two branches 20' and 21' are coplanar with the base 13, at the time that they intersect with the base 13. This is different from the claimed invention. Accordingly, Applicant submits that McKee fails to disclose each and every feature of claim 1. There is no disclose of diverging planes where they intersect the base.

If the Examiner maintains the present rejection on the basis set forth above, Applicant hereby requests the Examiner show how this feature is disclosed in McKee.

Second, the Examiner alternatively alleges that the portions 16 and 20' are the "branches" of the present invention. Again, as discussed above, Applicant submits that their configuration is substantially "L," and is not substantially "U" shaped. Additionally, the branches 16 and 20' do not lie in two diverging planes with respect to each other at the base, and are both co-planar with the base.

In view of the foregoing, Applicant submits that McKee fails to disclose each and every feature of the claims 1, 3-5, 7 and 14-16. Therefore, McKee fails to anticipate the rejected claims as required under the provisions of 35 U.S.C. § 102(e). Accordingly, Applicant hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 102(e) rejection of these claims.

35 U.S.C. § 102(e) Rejection - Claims 1 and 3:

Claims 1 and 3 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 4,963,102 to Gettig et al. In view of the following discussion, Applicant respectfully traverses the above rejection.

Applicant notes that Figure 8 of Gettig is the most relevant disclosure to the present invention. With regard to the terminal T, the Examiner is asserting that the upper branch 54 and the lower branch 66 form the “U”-shape (when viewed from the side) and that the lower branch lies in the same plane as the base of the terminal T. *See* the Examiner’s Attachment 3 to the Office Action dated April 23, 2003.

Again, Applicant notes that the blade 54 and the upper contact 66 are two separate distinct pieces which are joined together at or near the tongues 84. *See* Figure 8. Therefore, there is no disclosure that these components are made “integrally.” *See* claim 1. Contrary to the Examiner’s assertions there is no “integral” connection, thus Gettig fails to anticipate claims 1 and 3. Applicant submits that a segmented construction, as that shown in Gettig is not an integral construction.

In view of the foregoing, Applicant submits that Gettig fails to disclose each and every feature of the claims 1 and 3. Therefore, Gettig fails to anticipate the rejected claims as required under the provisions of 35 U.S.C. § 102(e). Accordingly, Applicant hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 102(e) rejection of these claims.

35 U.S.C. § 102(e) Rejection - Claims 1, 3-8 and 10-11:

Claims 1, 3-8 and 10-11 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,077,130 to Hughes et al. In view of the following discussion, Applicant respectfully traverses the above rejection.

Rather, than addressing the Hughes reference on the merits, Applicant respectfully submits herewith Inventors’ Declarations under 37 C.F.R. § 1.131, signed by each of the

inventors of the above referenced application. (Two Declarations have been provided because each inventor signed the Declarations separately, however, the Declarations contain the same information. Further, exhibits have only been attached to one of the Declarations). Applicant submits that the submitted declarations, and their attached Exhibits, demonstrate that the inventors of the present invention were in possession of the present invention prior to the February 16, 1999 U.S. filing date of the Hughes reference.

Specifically, Applicant notes that the inventors were in possession of the invention prior to February 16, 1999 and diligently pursued the filing of the French Application No. FR 9902996, which is the priority document to the above referenced application. It is also noted that an English translation of French Application No. FR 9902996, is provided to aid in demonstrating that the present application was completely in possession of the inventors prior to February 16, 1999.

In view of the foregoing discussion, and the attached Inventors' Declarations under 37 C.F.R. § 1.131, Applicant hereby submits that the Hughes reference is not available as prior art under the provisions of 35 U.S.C. § 102 and, as such, Applicant hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 102(e) rejection of claims 1, 3-8 and 10-11.

Conclusion:

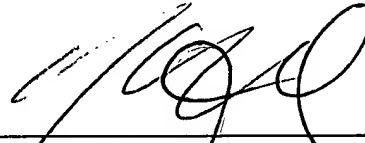
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. Application No. 09/673,614

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Terrance J. Wikberg
Registration No. 47,177

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER

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